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FISH & RICHARDSON PC  
225 FRANKLIN ST  
BOSTON MA 02110

In re Application of  
James S. Huston et al  
Serial No.: 08/014,096  
Filed: February 4, 1993  
Attorney Docket No. : 03235-004002

WITHDRAWAL OF ABANDONMENT

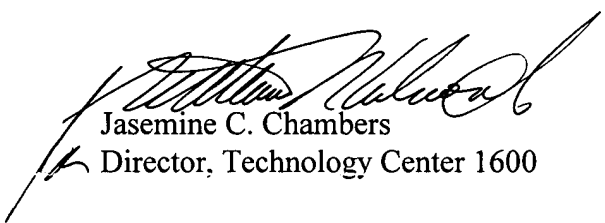
This is in response to the petition under 37 CFR 1.181, filed September 10, 2003, requesting withdrawal of abandonment of the above-identified application based on non-receipt of an Office action.

A review of the file history of the application shows that the examiner mailed a non-Final Office action to applicants, on November 25, 2002, at the original correspondence address: MINTZ, LEVIN, COHN, FERRIS, GLOVSKY & POPEO, ONE FINANCIAL CENTER, Boston, MA 02111. A review of the PALM data base for the application confirms that the current correspondence address is: FISH & RICHARDSON PC, 225 FRANKLIN ST, BOSTON MA 02110. On July 8, 2003 the examiner mailed a Notice of Abandonment to applicants at the current address for failure to reply to the Office action. Applicants state that the Office action was never received and provide statements and docket record evidence of non-receipt in support thereof. Located in the Office file is a Change of Correspondence Address dated as accepted and entered on November 29, 2002, four days subsequent to the mailing of the Office action. This It is noted, however, that as early as March 15, 2002, applicants were using the new correspondence address above as their return mailing address on correspondence mailed to the Office (see Notice of Appeal mailed 3/07/02), but delayed more than six months before submitting it to the Office as the correspondence address for the above identified and hundreds of other applications. A review of the Petition under 37 CFR 1.129(a) filed September 16, 2002, does not include a change of correspondence address. Applicants are required to keep the Office informed of their current correspondence address and to promptly inform the Office of any change of correspondence address. Applicants' delay in submitting the change of correspondence address caused the Office action to be mailed to an incorrect address. In view thereof, the Notice of Abandonment is not withdrawn and the application is not restored to a pending status.

Applicants' petition is **DENIED** for the reasons set forth above. Should there be any other facts not evident in applicants' submitted petition, they should be submitted in a renewed petition for

reconsideration. Applicants may also submit a petition under 37 CFR 1.137(b) requesting revival of the above identified application. Any new or renewed petition must be submitted within TWO MONTHS of the mailing date of this decision in order to be considered timely.

Should there be any questions regarding this decision, please contact William R. Dixon, Jr., by mail addressed to Director, Technology Center 1600, P.O. Box 1450, Alexandria, VA 22313-1450, or by telephone at (703) 308-3824 or by facsimile transmission at (703) 305-7230.



Jasemine C. Chambers

Director, Technology Center 1600